REMARKS

Claims 1-23 stand rejected as being unpatentable over U.S. Patent No. 5,574,849 to Sonnier et al. in view of U.S. Patent No. 5,963,703 to Higurashi et al. Additionally, claim 24 stands rejected as being unpatentable over Sonnier, Higurashi, and further in view of U.S. Patent Application Publication No. 2003/0189922 to Howe. Applicant respectfully disagrees.

Each independent claim (claims 1, 9, and 16) describes transmitting or receiving one or more synchronization symbol(s) that correspond to (or indicate) an identified packet type. For example, claim 1 recites a method of transmitting packet types of packets, the method including "identifying a packet type" and "transmitting a synchronization symbol that corresponds to the identified packet type, wherein the transmitted synchronization symbol provides synchronization information and wherein each packet type has a different synchronization symbol."

Neither Sonnier nor Higurashi show synchronization symbols that correspond to packet types. As the Examiner admits, "Sonnier does not specifically teach that the synchronization symbol to the identified packet type and each packet type has a different synchronization symbol" (Office Action, Oct. 18, 2005, p. 3), and looks to Higurashi to remedy the deficiency.

Higurashi is directed to a method of recording and reproducing packet data. For example, audio packets and video packets are separated from an input stream of packets that includes audio packets and video packets. The audio packets are recorded on tracks that are different from tracks on which the video packets are recorded (Higurashi, Abstract). Packets are identified based on information contained within the header of the packet (Id., 3: 52-56). Signals such as read or write control signals control the reading and writing of audio and video packets to a buffer system. Additionally, time stamp signals may be used with the read or write control signals. The time signals, which control time

6

stamping, may be generated after detecting reference time information from a packet header.

It is the Examiner's position that, because Higurashi discusses generating control signals in response to packet type information, "it would have been obvious for one of ordinary skill in the art at the time when the invention was made to include, transmitting a synchronization symbol that corresponds to the identified packet type, wherein the transmitted synchronization symbol provides synchronization information and wherein each packet type has a different synchronization symbol" (Office Action, Oct. 18, 2005, p. 3). Applicants respectfully disagree.

As clearly shown in Figure 1 of Higurashi, the read and write control signals are not part of the stream of packets, and are used merely to read out and write packets into the buffer system. These signals are not used to synchronize a packet stream. Instead, two different signals are used to control two different buffers, one for audio packets (buffer 4) and one for video packets (buffer 5).

In sum, obtaining reference time information from packet headers and incorporating this information into timing signals for reading or writing packets into specific buffers, as disclosed by Higurashi, would not lead one of ordinary skill in the art to incorporate packet type information into the synchronization symbols of Sonnier. As such, Sonnier in view if Higurashi does not teach each and every element of claim 1, and, for at least these reasons, cannot render the claim obvious.

Claims 9 and 16 (and all the dependent claims) recite similar elements to those of claim 1, and are therefore patentable for at least the reasons discussed above. Moreover, the claims recite a novel combination of elements that is neither taught not suggested by the relied-upon references.

In view of the above amendment, applicant believes the pending application is in condition for allowance and respectfully requests its early allowance.

Applicant has submitted herewith the requisite extension of time fee and believes no additional fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0665, under Order No. 594728818US from which the undersigned is authorized to draw.

Dated: Respectfully submitted,

_3-20-06_   By _Maurice J. Pirio_
                                                 Maurice J. Pirio
                                                    Registration No.: 33,273
                                                 PERKINS COIE LLP
                                                 P.O. Box 1247
                                                 Seattle, Washington 98111-1247
                                                 (206) 359-8000
                                                 (206) 359-7198 (Fax)
                                                 Attorney for Applicant